

**STATE OF CALIFORNIA
MANAGED RISK MEDICAL INSURANCE BOARD
1000 G STREET, SUITE 450
SACRAMENTO, CA 95814**

**TITLE 10. CALIFORNIA CODE OF REGULATIONS
CHAPTER 5.8 MANAGED RISK MEDICAL INSURANCE BOARD
HEALTHY FAMILIES PROGRAM
AMEND 2699.6707**

**FINAL STATEMENT OF REASONS
ER-2-11**

UPDATE OF INITIAL STATEMENT OF REASONS

LOCAL MANDATE DETERMINATION

The proposed regulations do not impose any mandate on local agencies or school districts.

ALTERNATIVES DETERMINATION

The Managed Risk Medical Insurance Board has determined that no alternative would be more effective in carrying out the purpose for which the regulation is proposed or would be as effective as and less burdensome to affected private persons than the proposed regulation.

UPDATED INFORMATION DIGEST

There have been no changes in applicable laws or to the effect the proposed regulations from the laws and effects described in the Notice of Proposed Regulations.

SUMMARY AND RESPONSE TO COMMENTS RECEIVED DURING THE INITIAL NOTICE PERIOD

The originally proposed text was made available and open for comment for at least 45 days from August 19, 2011 – October 10, 2011. During the open comment period five written comments were received and two oral comments were made at the hearing. Below is our response to the comments received.

Comment #1: MRMIB received letters of support of removing the dental cap from: California Association of Dental Plans, The California Children's Health Initiatives, Children's Defense Fund California, Children Now, The Children's Partnership, PICO California, United Way of California, California Primary Care Association, California

School Health Centers Association, California School Nurses Organization, California Society of Pediatric Dentistry, California State PTA, Center for Oral Health, Children Now, Community Clinic Association of Los Angeles County, Healthy Smiles for Kids of Orange County, Healthy Start—Lake County Office of Education, Hispanic Dental Association, La Maestra Community Health Centers, and The Children's Partnership.

Response: MRMIB thanks each of these entities for their support of the proposed regulation and MRMIB accepts the recommendation.

Comment #2: A written comment was received from the Children's Partnership. The Commenter asks: 1) if the proposed changes are included in the 2011-12 budget 2) are dental plans expected to absorb the additional costs, and 3) what is the estimated budget amount?

Response: The comment is neither an objection nor a recommendation made regarding the specific amendment. Therefore, MRMIB rejects the comment.

Comment #3: A written letter received from Children Now, PICO California, California's Children's Health Initiatives, The Children's Partnership, Children's Defense Fund California, and the United Way of California; oral testimony from the same organizations was received making the same Comment. The Comment urges the Board to investigate, identify and disclose the number of children impacted by the cap as well as any other data available on children impacted by the cap.

Response: The comment is neither an objection nor a recommendation made regarding the specific amendment. Therefore, MRMIB rejects the comment.

Comment #4: A written letter was received from the California Primary Care Association, California School Health Centers Association, California School Nurses Organization, California Society of Pediatric Dentistry, California State PTA, Center for Oral Health, Children Now, Community Clinic Association of Los Angeles County, Healthy Smiles for Kids of Orange County, Healthy Start—Lake County Office of Education, Hispanic Dental Association, La Maestra Community Health Centers, and The Children's Partnership. The comment suggests that children and families affected by the cap should be reimbursed any excess amount they paid out of pocket, publicly disclose the number of children affected by the cap during its duration, and any other available data about the impact of the cap.

Response: The comment is neither an objection nor a recommendation made regarding the specific amendment. Therefore, MRMIB rejects the comment.

ECONOMIC IMPACT ON SMALL BUSINESS

No commenter proposed an alternative to lessen any adverse economic impact on small business.